

Rejection Under 35 U.S.C. § 103

Claims 1-4, 6-16, 30-31, 36-44, 49-59, 65-76, 81-105, 121-134 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg (U.S. Patent 4,672,553) in view of Lasher et al. (U.S. Patent 5,660,305). This is the only prior art rejection in the present Office Action. Goldberg is substantially unrelated to the present application in that it merely relates to an order processing method which generally monitors the travel of packages, and is unrelated to a pharmaceutical dispensing system as in the present invention. Lasher et al. is, in effect, prior art under 35 U.S.C. § 102(e). Accordingly, since the present reissue application has been filed as of June 30, 2000, and after the November 29, 1999 effective date of the American Inventor's Protection Act, the Lasher et al. patent is not considered prior art in view of the amendments to 35 U.S.C. § 103(c). In accordance with the "Guidelines Setting Forth a Modified Policy Concerning the Evidence of Common Ownership, or an Obligation of Assignment to the Same Person, as Required by 35 U.S.C. § 103(c)", the undersigned is submitting a statement of common ownership indicating that the Lasher et al. patent and the present application were commonly owned at the time the invention of and/or described in the present application. In addition, a copy of these guidelines is included for the convenience of the Examiner.

Accordingly, Applicants respectfully submits that the Lasher et al. reference is not prior art and, therefore, this rejection should be withdrawn. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-134 under 35 U.S.C. § 103.

CONCLUSION

For all the reasons advanced above, Applicant respectfully submits that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicant respectfully submits that the Application is in condition for allowance, and that such action is earnestly solicited.

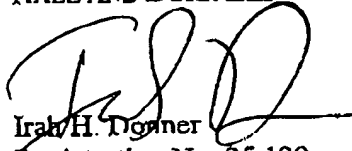
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment to deposit account no. 08-0219.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to deposit account no. 08-0219.

Respectfully submitted,

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